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THE CITY OF NEW YORK
LAW DEPARTMENT
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January 28, 2024

By ECF

Honorable Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Furet v. City of New York, et al.,
22 Civ. 3172 (AT)

Your Honor:

I represent defendants the City of New York (the “City”) and Logan Payano in the above-referenced matter. Defendants City and Payano write to respectfully inform the Court that they intend to move to quash the subpoena to testify at a deposition plaintiff purportedly served on an undercover officer at the New York City Police Department Narcotics Borough Manhattan South on January 26, 2024, and to respectfully request that the Court allow defendants City and Payano until February 16, 2024, to file their motion to quash.

By way of background, on January 26, 2024, plaintiff filed an affidavit of service indicating that he served a subpoena to testify at a deposition on a “John Doe” officer at the Narcotics Borough Manhattan South. Plaintiff has indicated to defendants City and Payano that he seeks to depose an undercover officer. Defendants City and Payano intend to move to quash the subpoena on several grounds. However, defense counsel is on trial beginning January 29, 2024, before the Hon. Ann M. Donnelly. See Borisova v. Friberg, et al., 18-CV-7440 (AMD) (SJB). The trial may last through this week. Accordingly, defendants City and Payano respectfully request that the Court grant them until February 16, 2024, to file their motion to quash, to allow defense counsel a period of time to draft the motion after trial.

Thank you for your time and consideration.

Respectfully submitted,

/s/ Zachary Kalmbach

Zachary Kalmbach

Assistant Corporation Counsel

cc: **Via ECF**
All counsel of record

GRANTED.

SO ORDERED.

Dated: January 29, 2024
New York, New York



ANALISA TORRES
United States District Judge